

To: **Planning Commission**  
Through: **Ben Boike, Community Development Director**  
From: **Melissa Houtsma, City Planner**  
Date: **February 21, 2023**

## **PC Case 23-01 – An Ordinance Repealing Sections 153.470 - 153.780 and Enacting Chapter 154 of the City Code Regarding Stormwater**

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### **BACKGROUND:**

The city's stormwater treatment is regularly reviewed by the Municipal Separate Storm Sewer System (MS4) as a state regulation and requirement, as well as by the local watershed district, the Lower Mississippi River Watershed Management Organization (LMRWMO) through permitting, city code language, and long term planning documents.

The city's stormwater management code language was initially adopted in 2001 and managed through the Building/Planning division, through permitting. However, since its initial adoption the ordinance has become progressively more intricate and involved. Therefore, with the most recent round of required updates, city staff is recommending that stormwater management be removed from the zoning code and made into its own chapter, as Building Regulations (Chapter 150), Flood Plain Management (Chapter 151), and Parkland Dedication (Chapter 152) each have their own respective code chapters.

The recommended relocation of the language will not change the process in which stormwater permitting is reviewed, but rather just where the language is located. In addition to the relocation the proposed change also includes general updating of definitions, etc. as well as a much more notable change; that being a reduction in the minimum threshold that triggers additional stormwater treatment and quality measures.

Since the current language is held within the zoning code, any change to (or in this case removal of) the language requires a review by the Planning Commission. However, since the new language will be located in its own chapter of the code, the language itself does not need to be reviewed by the Planning Commission.

### **STAFF RECOMMENDATION:**

Staff recommends the Planning Commission hold a public hearing and make a recommendation on the proposed ordinance amendment, specifically the removal of the language from the zoning code.

### **ATTACHMENTS:**

Ordinance

### **TIMELINE:**

February 21: Planning Commission (Public Hearing)  
February 27: City Council First Reading  
March 13: City Council Final Reading